

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

FISHER SAND & GRAVEL CO., )

Plaintiff, )

vs. )

CLARK COUNTY, NEVADA et al., )

Defendants. )

2:09-cv-01372-RCJ-GWF

**ORDER**

This case arises out of the Clark County Board of County Commissioners' ("the Board") rejection of Plaintiff Fisher Sand & Gravel Co.'s ("Fisher") bid on Bid No. 601309-08. That bid is for improvements to a segment of Interstate 215 that surrounds the City of Las Vegas, known as the Bruce Woodbury Beltway. On January 6, 2010, the Court granted in part Plaintiff's Emergency Motion for Enforcement of Writ of Mandamus and Request for Sanctions, ordering the Board to award the bid to Fisher. (*See* Order, Jan. 6, 2010, ECF No. 88). The Court of Appeals has stayed that order pending resolution of the appeal. (*See* Order, May 20, 2010, ECF No. 127). In the meantime, Fisher had moved for enforcement of the now-stayed order. (*See* Mot., Feb. 23, 2010, ECF No. 117).

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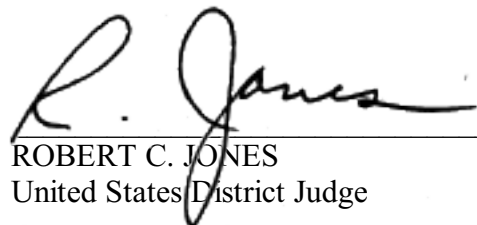
1 Because the Court cannot enforce an order that the Court of Appeals has stayed, the motion  
2 is denied, without prejudice. Plaintiff may renew the motion after the appeal is resolved, assuming  
3 the Court of Appeals does not vacate the order.

4 **CONCLUSION**

5 IT IS HEREBY ORDERED that the Motion for Enforcement of this Court's January 6,  
6 2010 Order and for Appropriate Sanctions (ECF No. 117) is DENIED without prejudice.

7 IT IS SO ORDERED.

8 DATED: This 24th day of August, 2010.

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12 ROBERT C. JONES  
13 United States District Judge  
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